

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**BADGER CAMPUS CREDIT UNION,  
Plaintiff,**

**v.**

**Case No. 14-C-0437**

**AYOMIDE IFELOLA EL BEY, f/k/a  
BELINDA Y. WOMACK,  
Defendant.**

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**DECISION AND ORDER**

Ayomide Ifelola El Bey, proceeding pro se, has removed a state-court collection and replevin action to this court. The plaintiff, Badger Campus Credit Union, has filed a motion to remand. The motion notes that the state-court action was commenced on November 9, 2011, and that the notice of removal was not filed until April 15, 2014, well more than two years after the action was commenced. No federal question is raised by the plaintiff's well-pleaded complaint, and thus the only possible basis for federal subject matter jurisdiction is diversity of citizenship. See 28 U.S.C. § 1332. However, subject to one exception not relevant here, a removal based on diversity of citizenship cannot occur more than one year after commencement of the action. See 28 U.S.C. § 1446(c). Thus, the removal is untimely, and the motion to remand will be granted.

Accordingly, **IT IS ORDERED** that plaintiff's motion to remand is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 13th day of June 2014.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge